

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **May 10, 2005**

AGENDA ITEM NO.: 8

CONSENT:

REGULAR: **X**

CLOSED SESSION:

ACTION: **X**

INFORMATION:

(Confidential)

ITEM TITLE: **Public Hearing Regarding a Request for a Taxicab Rate Increase**

RECOMMENDATION: Conduct a public hearing regarding a proposed taxicab rate increase.

SUMMARY:

Porter L. Douglas and Portia Douglas-Davis, representing taxicab owners/drivers in the City, are requesting a taxicab rate increase as follows:

- For the first one-ninth mile, or fraction thereof – increase from \$1.40 to \$2.80
- For each succeeding one-ninth mile, or fraction there – increase from \$0.20 to \$0.30
- For each additional passenger after the first – increase from \$0.20 to \$0.30

The last rate increase was on June 1, 1999, and they are requesting that the proposed rate increase become effective on June 1, 2005. They are also requesting that in the future rates be increased simultaneously with the Greater Lynchburg Transit Company automatically or annually on June 1. Regardless of how Council acts on the proposed rate increase, staff does not recommend automatic increases in subsequent years.

LPD Crime Analyst Tommy J. Doss contacted the (4) taxicab companies operating within the City and spoke with the owner/licensee to determine their opinion of the proposed increase:

- Allied Cab - Phillip Mack does not support the proposal.
- City Cab - Did not respond despite repeated attempts to contact.
- Gray Top Cab - Jeremiah Gardner, (who made the proposal) supports the proposal.
- Hill City Cab - Doug Porter - supports the proposal.

Mr. Doss also contacted the cities of Danville, Roanoke, Charlottesville, and Martinsville to determine their current taxicab fare rates, and the attachments document the current taxicab fare rates for those cities.

PRIOR ACTION(S): None

BUDGET IMPACT: None

CONTACT(S):

Portia Douglas-Davis (757) 358-3432

ATTACHMENT(S):

- Ordinance
- Taxicab fare rates for cities
- Letter requesting rate increase

REVIEWED BY: lkp

AN ORDINANCE TO AMEND AND REENACT SECTION 37-109 OF THE CODE OF THE CITY OF LYNCHBURG, 1981, AS AMENDED, THE AMENDED SECTION RELATING GENERALLY TO TAXICAB RATES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That Section 37-109 of the Code of the City of Lynchburg, 1981, as amended, be further amended and reenacted as follows:

Sec. 37-109. Rates.

The rates to be charged passengers by owners or drivers of taxicabs shall be as provided in this section and it shall be unlawful for an owner to permit or a driver to make any greater or lesser charges for the transportation of passengers and luggage than the following charges:

(a) Trip rates.

(1) Mileage basis.

For the first one-ninth mile, or fraction thereof	\$1.40	<u>2.80</u>
For each succeeding one-ninth mile, or fraction thereof	0.20	<u>0.30</u>

(2) Waiting time. For each minute of waiting time, or fraction thereof, after the first three (3) minutes or \$24.00 per hour waiting time 0.40

(b) Hourly rates. When hired on an hourly basis for one (1) or more passengers, per hour 6.00

(c) Trunks or footlockers. For transporting trunks or footlockers along with passengers, each piece 1.00

(d) Hand luggage.

(1) For each hand baggage in excess of two (2) bags per passenger, each additional bag 0.10

(2) For packages without a passenger, each 1.00

(e) Bags weighing one hundred (100) pounds, or over.

For each piece of baggage weighing one hundred (100) pounds, or over 1.00

(f) For transporting pets, other than seeing-eye dogs, an additional charge for each pet 1.50

(g) Two (2) or more passengers. An extra charge of ~~twenty~~ thirty cents (~~\$0.20~~ 0.30) per passenger shall be made for each additional passenger traveling together and discharged along the route or at the same destination.

(1) Should the first person taken into a taxicab for transportation permit the driver to allow another or others traveling in the same direction to be transported in the same taxicab with him, pursuant to Section 37-24, the passenger first arriving at his destination shall pay in accordance with the meter charge at that point, plus an extra charge of ~~twenty~~ thirty cents (~~\$0.20~~ 0.30) for each additional passenger transported and discharged at

that destination, whereupon the driver of the taxicab shall immediately clear his meter and set the same for immediate operation for the next passenger, who shall pay the meter charge upon arrival at his destination, plus an extra charge of ~~twenty~~ thirty cents (~~\$0.20~~ 0.30) for each additional passenger transported and discharged at that destination. The same method shall be followed for each succeeding passenger.

(2) When two (2) or more passengers are bona fide traveling together and engage a taxicab to different destinations, the charge shall be made as if the taxicab were hired for one (1) passenger for the last destination, plus an extra charge of ~~twenty~~ thirty cents (~~\$0.20~~ 0.30) for each additional passenger transported.

(h) Passengers to points beyond city limits. For transportation of passengers from the city to points beyond the city limits, the rates set out in this section shall be applicable only to so much of such trip as is within the city limits.

2. That this ordinance shall become effective on its passage.

Adopted:

Certified:

Clerk of Council

056P

Porter L. Douglas Owner/Driver
Portia Douglas-Davis
Hill City Cab Co., Inc.
200 Oakley Ave.
Lynchburg, VA 24501

Attn: Pat Kost (Secretary of City Counsel)
City Hall
900 Church St.
Lynchburg, VA 24504

May 10, 2005

To the Municipal Officers of the City of Lynchburg, VA:

We, the undersigned Cab Owners/Drivers of the City of Lynchburg, VA, hereby **petition** the Municipal Officers of Lynchburg, VA, to submit to the City at the City Counsel Meeting to be held on May 10, 2005, the following proposal:

1. Propose an overdue Taxi Cab rate increase
2. Propose that the initial rate of the first drop (when passenger first gets in) be increased from \$1.40 to \$2.80 in an effort to comfortably maintain our businesses
3. Propose subsequently a ten cent rate increase for each additional 1/9 mile, and for each additional passenger after the first, equaling thirty cents
4. The last raise was **June 1, 1999**
5. Propose that the Taxi Cab rate increase become effective as of June 1, 2005 if not sooner
6. Propose that thereafter rates be increased simultaneously with the **Greater Lynchburg Transit Company** automatically or annually on **June 1, 2005**

Sincerely,
Porter L. Douglas
Portia Douglas-Davis
All other concerned Parties
(i.e. Cab companies)

(757) 358-3432

Argument:

1. Gas prices have and are continuing to tremendously increase, even as we sleep
2. Cab maintenance repairs have increased
3. Teachers have gotten a 2% raise which comes from the City budget whereas cabs are self-sufficient, not agency funded nor assisted
4. Cabs survive only off of their own generated revenue
5. Sometimes cabs run Deadheads (no one is there to pick up), expense has been created, gas burned and time wasted for \$0.00 to account for mileage
6. There are Jump-outs (passengers reach destination and do not pay)
7. On one particular occasion when police were summoned the officer stated that, "we were only wasting his time and he did not want to be bothered"
8. On another occasion in court the passenger told the judge that they "did not call a cab" resulting in them not having to pay cab fare nor any fines
9. Drivers transport and appear in court to no avail
10. Cab arrives to pick up and someone says, "they already left" and driver cannot collect the fee for going to pick up passenger (\$1.40)
11. Expenses such as gas, insurance, maintenance, employment taxes and etc. have significantly cut into our profits at Hill City Cab, Inc. since we are a small company
12. There is now a \$1.00 surcharge on pizza delivery since they are delivering pizzas resulting in them burning gas ;however, cabs take a risk at Hill City Cab each and every time we crank up and head towards a call

City of Danville, Virginia

Sec. 39-17.

(a) The following rates shall be charged for services rendered by taxicabs within the corporate limits of the City:

(1) For the first one-seventh ($1/7$) mile or portion thereof, one dollar twenty-five cents (\$1.25);

(2) For each additional one-seventh ($1/7$) mile or portion thereof, twenty cents (\$0.0.20);

(3) For waiting time, twenty cents (\$0.20) for each thirty (30) seconds.

(b) For transportation beyond the corporate limits of the City, the foregoing rates, or a rate agreed upon in advance by the driver and passenger, shall be charged.

(c) It shall be unlawful for any passenger who engages or uses a taxicab in the City to fail, upon discharge as a passenger, to pay the transportation charge shown on the taximeter. Failure to pay as required in this section shall be punishable as a Class 2 misdemeanor. (Ord. No. 92-4.4, § 2, 4-7-92)

Cross references: Penalty for a Class 2 misdemeanor, § 1-11.

City of Roanoke, Virginia

Sec. 34-130. Rate schedule.

(a) The rates for taxicab and for-hire automobile service within the city shall be such as are established from time to time by ordinance of the council of the city. No different rates shall be charged or collected for such service.

(b) The rates to be charged and collected for taxicab service shall be determined by accurate taximeters.

(c) The rates to be charged and collected for for-hire automobile service shall be determined by accurate odometers.

(d) Waiting time shall include the time the vehicle is stopped in traffic or stopped at the direction of the passenger. It shall also include time when the vehicle slows to a speed at which the charges under the distance rates are less than the charge for the time rates. Waiting time shall not include the first three (3) minutes after the vehicle has arrived at the destination to which it was called.

(e) When calls to a place of pick up are made to a taxicab or for-hire vehicle located at a stand, no charge shall be made until the taxicab or for-hire automobile arrives at the point of pickup.

(f) When a charge is made for waiting time, there shall be no charge for mileage.

(g) The rates for services rendered by taxicabs and for-hire automobiles shall be as follows:

(1) *Distance rates:*

a. For the first one-eighth (1/8) mile or fraction thereof, two dollars and eighty cents (\$2.80).

b. For each additional one-eighth (1/8) mile or fraction thereof, twenty cents (\$0.20).

(2) *Time rates:* For each forty (40) seconds of waiting time, twenty cents (\$0.20). While a charge is made for waiting time, there shall be no charge for mileage under the foregoing distance rates.

(3) *Extra passengers:* For each additional passenger, thirty cents (\$0.30).

(h) A schedule of rates of those providing van service shall be filed with the city manager. These rates shall be subject to review by city council, from time to time at its discretion.

(Code 1956, Tit. XIX, Ch. 1, § 18; Ord. No. 23382, 12-13-76; Ord. No. 24749, §§ 1, 2, 7-23-79; Ord. No. 25362, 11-10-80; Ord. No. 25868, § 3, 12-28-81; Ord. No. 27230, 10-8-84; Ord. No. 27713, § 1, 8-12-85; Ord. No. 27774, § 1, 8-26-85; Ord. No. 30270, § 1, 10-15-90; Ord. No. 34847, § 1, 6-5-00; Ord. No. 36697, § 1, 5-20-04)

Charter references: Authority of city to regulate rates charged by taxicabs, § 2(12).

City of Charlottesville, Virginia:

Sec. 32-92. Schedule of maximum rates.

(a) It shall be the policy of the city that taxicab rates shall be established by open market competition. Every person owning or operating taxicabs within the city shall file with the chief of police a schedule of the maximum rates which that person will charge for service within the city. The schedule shall conform to the following format:

- (1) Charge for first one-tenth mile: \$1.50
- (2) Charge for each additional one-sixth mile: \$0.30
- (3) Charge for each additional one-sixth mile after 4:20PM is \$0.45
- (4) Charge for waiting time, per minute: \$0.30
- (5) Charge for each additional minute of waiting time after 4:20PM is \$0.45.
- (6) Additional charge per trip between the hours of 10:00 p.m. and 6:00 a.m.: \$0.50.
- (7) Charge for additional passengers: \$0.50
- (8) Charges for loading of laundry, groceries, luggage or other special services: \$0.50

(b) Any owner of a taxicab wishing to change his rate schedule shall file a proposed new schedule with the chief of police at least thirty (30) days before the new schedule may take effect. A notice shall be posted in that owner's vehicle or vehicles indicating that the proposed change has been filed and the proposed effective date. At the end of the thirty-day period the owner may implement the new rates, provided a certificate is obtained from the chief of police indicating that the meter has been changed to reflect accurately the new rates and that the new rates have been displayed on the exterior or interior of the taxicab as required by section 32-93.

(c) Each owner's filed rates, when effective, shall constitute the maximum charges which the owner or his employee may charge for taxicab service within the city. However, nothing shall prevent an owner or operator from charging less than the rate shown on the meter or offering discounts for elderly or handicapped persons, frequent riders or other classes of customers.

City of Martinsville, Virginia

Sec. 22-85. Taxicab rates.

(a) No owner or operator of any taxicab operated under a certificate of public convenience and necessity issued under this article shall charge for the hire thereof a sum that shall be greater or lesser than the following:

- 1) For the first one-eighth of a mile or fraction thereof \$1.35
- 2) For each succeeding one-eighth of a mile thereafter \$0.20
- 3) In addition to the foregoing charges:
 - a. For each trunk, if handled by the driver\$0.30
 - b. For placing large bundles or packages or groceries into the cab and removing the same therefrom into a residence or other building.....\$0.30
 - c. For each minute of waiting time\$0.40

There shall be no charge for extra passengers or handbags.

(b) As used in this section, the term "waiting time" shall mean the time consumed while the taxicab is not in motion and is waiting at the direction of a passenger and, also, the time consumed while waiting for a passenger after having responded to a call, but no charge shall be made for the time consumed by the premature response to a call or for the first three (3) minutes following timely arrival at any location in response to a call, or for time lost through traffic interruptions and delays, or for delay caused by the mechanical condition of the taxicab or the inefficiency of its driver.

(c) Notwithstanding the provisions of this section, taxicabs bringing passengers into this city from without the city shall charge the rates prescribed by the city or county in which they are licensed.